Remarks

This Amendment is being filed concurrently with a Request for Continued Examination ("RCE"). Reconsideration and allowance of this application, as amended, are respectfully requested.

Applicants acknowledge with gratitude the personal interview conducted with the examiner on March 17, 2009. During the interview Applicants' representative first explained the proposed amendment of specification page 7/8. The examiner and Applicants' representative then discussed the operation of the claimed process (claim 1) and the advantages associated with the invention.

Turning to the present Amendment, claims 1, 5, 6, 10, and 11 have been amended. Claims 1-11 remain pending in the application. Claims 1 and 6 are independent. The sole rejection is respectfully submitted to be obviated in view of the amendments and remarks presented herein. No new matter has been introduced through the foregoing amendments.

Specification page 7/8 has been amended for purposes of clarity of disclosure, i.e., to make explicit that which is implicit in the original disclosure. Support for the amendment is found, e.g., in the implicit teaching of the original written description at specification page 7/8, in the depiction in Figure 2 of the path 19 created by movement of the measuring head 12, and from the knowledge of one skilled in the art at the time of invention. From the aforementioned sources of support, one skilled

in the art would recognize that since the measuring head 12 moves at a uniform speed (in a uniform zigzag pattern) along the surface of the extruded film 8, it provides a uniform, i.e., time-equidistant, measurement of the film thickness. As disclosed at specification page 7/8, the measurements result in "a complete thickness profile of the film 8." If the data (i.e., thickness measurements) were not recorded at equidistant time intervals, the thickness profile would be incomplete and thus statistically useless.

Claims 5, 10, and 11 have been editorially amended to correct an informality in each. Claim 1 has been amended to recite in pertinent part that "the thickness-measuring probe record[s] for each measuring cycle the thickness value profile of the film at least across parts of an expansion area of the film in the direction (x) perpendicular to the conveying direction (z) by measuring thickness values in equidistant time intervals." Claim 6 has been amended in a manner that parallels the amendment of claim 1. Entry of each of the amendments is respectfully requested.

The examiner's requirement for drawings (Office Action page 4) is respectfully traversed. Two sheets of drawings, presenting drawing Figures 1 and 2, were filed with the U.S. Patent and Trademark Office ("USPTO") as part of the instant application on July 6, 2005. The OIPE date-stamped ("JUL 06 2005") filing postcard evidences the USPTO's receipt of, *inter alia*, "2 Sheets of Drawings." As discussed with the examiner during a telephonic

interview on March 18, 2009, drawing Figures 1 and 2 comply fully with the provisions of 37 CFR § 1.84, including specifically, § 1.84 (p) and (q).

35 U.S.C. § 103(a)

Claims 1-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over "Applicant's admitted prior art" in view of U.S. Patent No. 6,856,855 to Hirata et al. (hereinafter "Hirata").

The rejection of claims 1-11 under § 103(a) based on the combined disclosures of prior art described in the background section of the instant specification and Hirata is respectfully deemed to be obviated. The asserted combination of disclosures would not have rendered obvious Applicants' presently claimed invention because the combination does not disclose each feature of the claimed invention.

As indicated above in the introductory remarks, instant claim 1 defines a process that includes, *inter alia*, the feature of "the thickness-measuring probe recording for each measuring cycle the thickness value profile of the film at least across parts of an expansion area of the film in the direction (x) perpendicular to the conveying direction (z) by measuring thickness values in equidistant time intervals."

Applicants respectfully disagree with the assertion that Hirata discloses that "the latest measured values during a predetermined time-frame at the start of the extrusion process are

more heavily weighed by the computer than those measured during the normal operation" (Office Action page 5).

Hirata discloses a device for the production of film sheets and a device for controlling the thickness of these sheets (column 1, lines 8-10). A thickness gauge 8 measures the thickness distribution of the sheet 1 and a control means 9 manipulates plural thickness adjusting means 10 based on the measured values (column 1, lines 30-35). In the beginning of the sheet production, the thickness measurements can be carried out at shorter cycles than during a stable production (column 7, lines 9-12).

Applicants' claimed process includes performing the thickness measurements in equidistant time intervals. From these values a so-called "correction value" is calculated by a computer 4. This correction value is fed to the control device/unit which controls the film thickness (page 3, lines 21-23). At the beginning of the sheet production, the thickness values tend to fluctuate heavily. After a period of time, the machine reaches stable production conditions and the thickness values do not fluctuate as strongly as before.

To reach the stable production phase as soon as possible, the film thickness control unit must take into account the values that are measured during the start of the extrusion process (i.e., starting values) more than the values that are measured during the normal operation (i.e., normal operation values) (specification page 4, line 29).

So, quite differently from Hirata, Applicants' process provides *each* measured thickness value MW_n with a weighting factor k_n (specification page 3, lines 12-14). That is:

$$\Sigma = k_1MW_1 + k_2MW_2 + \ldots + k_nMW_n$$

To take the starting values into account more denotes that the weighting factors, i.e., k_1, of the starting values are larger than the weighting factors, i.e., k_n, of the normal operation values. As a result, Applicants' claimed sheet thickness control process provides for faster attainment of a stable production phase.

Hirata reaches the production phase in a different way. In the beginning of the sheet production (unstable production phase) *more* measurements (in *shorter* cycles) are carried out than at the stable production phase (column 7, lines 6-12). So, according to Hirata, the thickness measurements are performed in *non-equidistant* time intervals. In Hirata's process, therefore, weighting factors for the thickness values are not used, because the process requires taking into account a higher number of values.

However, as is evident, Applicants' average calculation of values which are each provided with weighting factors is very different from Hirata's average calculation of values which are recorded at different points in time.

Again, according to Applicants' claimed invention, the thickness values are measured in equidistant time intervals. The thickness measuring head 12 is moved at a uniform speed in the direction x which is perpendicular to the conveying direction z of the film 8. A uniform speed of the measuring head 12 denotes a uniform, i.e., time-equidistant, measurement of the thickness values.

Accordingly, the combined disclosures of the prior art described in the background section of the instant specification and Hirata would not have rendered obvious the invention defined by any of Applicants' claims 1-11.

In view of the foregoing, this application is now in condition for allowance. If the examiner believes that an interview might expedite prosecution, the examiner is invited to contact the undersigned.

Respectfully submitted,

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